

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.3587 OF 2005

IN

SUMMARY SUIT NO.2892 OF 2003

M/s.Clea Public Relations Pvt.Ltd.
and another. ...Plaintiffs.

vs.

Municipal Corporation of Gr.Mumbai. ...Defendant

Mr.S.A.A.Naqvi, for Plaintiffs.

Mr.P.G.Lad with Mr.H.C.Pimpale, for Defendant in
support.

CORAM: D.K.DESHMUKH, J.

DATED: 26th June, 2007.

P.C.:-

By consent of parties, the notice of
motion is disposed of in the following terms:-

1. On defendant depositing an amount of Rs.7,50,000/- (Rupees Seven lakhs fifty thousand only) within a period of ten weeks from today, the order dated 8.6.2005 passed in summons for judgment no.954 of 2003 shall stand set aside.

2. The defendant states that the defendant will file reply and application for leave to defend in the summons for judgment no.954 of 2005 within a period of two weeks from the date of deposit of the amount.

3. The office is directed to place the summons for judgment no.954 of 2003 before the Court after a period of four weeks from the date on which the amount is deposited by the defendant.

4. The amount shall be deposited by the defendant as directed above with due intimation to the plaintiffs. On the amount being deposited

the Prothonotary and Sr.Master of this Court shall permit the plaintiffs to withdraw the amount on furnishing bank guarantee of a nationalised bank to the satisfaction of the Prothonotary and Sr.Master of this Court and filing an undertaking, undertaking therein to bring back the amount if so directed by the Court and on such terms and conditions as may be directed by the Court, with further undertaking that in that event the rate of interest shall not be less than 12% per annum. Notice of motion is disposed of.
